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Attorney Docket  
45008-10048

Dawn M. Bell/ *Dawn M. Bell* 10/14/08  
(Printed Name/Signature)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	Peter W. Gavin	)
Serial No:	10/771,654	)
Filed:	February 3, 2004	)
Group Art Unit:	3635	)
Examiner:	Mark R. Wendell	)
Title:	CASTING RISER PAN	)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPLICANT'S RESPONSE TO  
EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

Sir:

Applicant hereby responds to the examiner's statement of reasons for allowance set forth in the Notice of Allowability mailed on July 21, 2008. The examiner's statement of reasons for allowance recites:

The applicant amended the claim language of the independent claims to read that the opening within the wall has an axis substantially normal there through. The applicant also thoroughly explained the difference between the prior art's orientation element and the orientation element of the instant application. The instant application has an orientation element in which only one orientation allows for a secure resting and locked position; whereas the prior art has basically a shoulder allowing the securement to be loose and in any position.



Notice of Allowability at 2.

Applicant respectfully submits the following clarification and commentary regarding the foregoing examiner's statement of reasons for allowance. First, Applicant has not amended the independent claims to read that "the opening within the wall has an axis substantially normal therethrough. Instead, by Amendment B on May 14, 2008, Applicant amended independent claim 1 to recite a wall, "said wall defining an opening having an axis therethrough and substantially normal thereto . . ." Applicant also similarly amended independent claim 19 to recite "an inner wall . . . said inner wall defining an opening having an axis therethrough and substantially normal thereto . . ." Second, Applicant respectfully submits that neither of the independent claims recites or otherwise requires "an orientation element in which only one orientation allows for a secure resting and locked position." Instead, independent claim 1 simply recites that Applicant's orientation elements "facilitate seating of said cover in said casting riser pan in a predetermined angular orientation about said axis with respect to the angular orientation of said casting riser pan about said axis." Independent claim 19 similarly recites that Applicant's orientation elements "facilitate seating of said concrete cover in said casting riser pan in a predetermined angular orientation about said axis with respect to the angular orientation of said casting riser pan about said axis."

Respectfully submitted,

Date: October 14, 2008

Mark P. Vrla  
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OCT-14-2008 16:03

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PTO/SB/21 (04-07)

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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

4

Application Number 10/771,654

Filing Date February 3, 2004

First Named Inventor Gavin

Art Unit 3635

Examiner Name Wendell

Attorney Docket Number 45008-10048

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Jenner & Block		
Signature			
Printed name	Mark P. Viga		
Date	October 14, 2008	Reg. No.	43,973

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Date: October 14, 2008

To: U.S. Patent & Trademark Office

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**Message:****RE:**

Appln No. 10/771,654  
Filed: February 3, 2004  
CASTING RISER PAN  
Examiner: Mark R. Wendell

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Transmittal Form

Fee Transmittal Form

Response to Examiner's Statement of Reasons for Allowance

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